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Wal-Mart Stores, Inc.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MAGGIE J. SANTANA, individually,

Plaintiff,

v.

WAL-MART STORES, INC., a Foreign
corporation; DOES 1 through 100; and ROE
CORPORATIONS 1 through 100,

Defendants.

Case No.: 2:16-cv-00973-GMN-GWF

**~~PROPOSED~~ ORDER TO EXTEND
DISCOVERY DEADLINES**

FIRST REQUEST

COMES NOW Plaintiff Maggie J. Santana (hereinafter “Plaintiff”), by and through her counsel of record, Elaine H. Marzola, Esq. of Richard Harris Law Firm, and Defendant, Wal-Mart Stores, Inc. (“Walmart”) by and through its counsel of record, Betsy C. Jefferis, Esq. of the law firm of Phillips, Spallas & Angstadt, LLC and hereby stipulate to modify the scheduling order to extend the initial and rebuttal expert disclosure deadlines by thirty (30) days. Pursuant to Local Rule 6-1(b), the parties state this is their first request for such leave.

DISCOVERY COMPLETED TO DATE

- The parties have conducted an FRCP 26(f) conference and have served their respective FRCP 26(a) disclosures;
- The parties have completed written discovery;
- Walmart has deposed Plaintiff.

**DISCOVERY TO BE COMPLETED AND
REASONS FOR EXTENSION OF DISCOVERY**

Discovery to be completed includes:

- Depositions of fact witnesses/store employees;
- Depositions of expert witnesses and treating medical providers;
- Deposition of Walmart's Rule 30(b)(6) witness;
- FRCP 35 Independent Medical Examination of Plaintiff

The parties aver, pursuant to Local Rule 2.25, that good cause exists for the requested extension. The parties agree that, pending this Court's approval, extension of initial and rebuttal expert disclosure deadlines is appropriate, as the parties wish to further investigate this case, conduct necessary discovery prior to pertinent deadlines, and potentially reach a resolution prior to incurring fees and costs for extensive discovery and experts. Despite the good faith efforts of the parties to comply with the Court's discovery deadlines, Defendant's expert's availability for a records review and independent medical examination of Plaintiff Maggie Santana, as well as the availability of Plaintiff to appear for the same necessitates this extension.

[PROPOSED] NEW DISCOVERY DEADLINES

Initial Expert Disclosure Deadline

Currently: August 29, 2016

Proposed: September 28, 2016

Rebuttal Expert Disclosure Deadline

Currently: September 26, 2016

Proposed: October 26, 2016

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If this extension is granted, all discovery mentioned above should be concluded within the stipulated extended deadline. The parties aver that this request for extension of discovery deadlines is made by the parties in good faith and not for the purpose of delay.

DATED this 8th day of September, 2016.

RICHARD HARRIS LAW FIRM

/s/ Elaine H. Marzola

ELAINE H. MARZOLA, ESQ.
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801 South 4th Street
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Attorneys for Plaintiff

DATED this 8th day of September, 2016.

PHILLIPS, SPALLAS & ANGSTADT LLC

/s/ Betsy Jefferis

BETSY JEFFERIS, ESQ.
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(702) 938-1510
Attorneys for Defendant
Wal-Mart Stores, Inc.

ORDER

IT IS SO ORDERED.

DATED this 13th day of September, 2016.


UNITED STATES MAGISTRATE JUDGE

Respectfully Submitted by:

PHILLIPS, SPALLAS & ANGSTADT LLC

/s/ Betsy C. Jerfferis

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